IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

REVIEW PETITION ST.No.14210 of 2007
IN
WRIT PETITION No. 2319 of 2006

Corporation Bank ..Applicant.

Vs.

Byranganalli Koressiddappa
& Ors. Respondents.

Mr G. S. Godbole i/b M.V. Kini & Co. for the applicant.

Mr A. M. Kulkarni, Advocate for the Respondent No.3.

CORAM: V.C. DAGA,J.
DATED: 1. 8. 2007.

P.C.:-

1. Not on board. Upon mentioning taken on board.

2. Taken up for final disposal by consent of parties.

3. Vide order dated 18.9.2006 which is under review, the petitioner was allowed to convert Writ Petition No. 2319 of 2006 into First Appeal, subject to payment of necessary court fee as may be payable in Law.

4. The learned counsel for the petitioner submits that against the order impugned in the

said Writ Petition, First Appeal was not maintainable, however, a Revision would be maintainable. As such, order impugned be reviewed and permission to convert the said Writ Petition into a Civil Revision Application be granted. He, thus, prayed for review of impugned order.

5. Having heard rival parties, the order dated 18.9.2006 stands reviewed and the word "First Appeal" appearing in the order dated 18.9.2006 stands deleted and substituted with that of the word "Civil Revision Application".

6. Amendment to be carried within two weeks.

7. Parties would be at liberty to argue before the appropriate Bench so far as the question of limitation is concerned. That issue is kept open.

8. Review Petition stands disposed of with no order as to costs.

(V.C. DAGA,J.)